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09/894,076	06/28/2001	Alan Tsu-I Yaung	STL920000099US1	6528

			EXAMINER
7590	06/01/2004		NGUYEN BA, HOANG VU A

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ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 June 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-42_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-42_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _28 June 2001_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _1/28/02_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the application filed June 28, 2001.

2.   Claims 1-42 have been examined.

Drawings

3.   The drawings are objected to because in Figure 10, the word "Retrievies" between block 402 and block 404 is mistyped. Correction is required.

Specification

4.   The specification is objected to because of the following minor informality: the U.S. Application No. of the copending applications listed on page of the specification is missing.

Claim Objections

5.   Claims 16-20, 22 and 35 are objected to because of the following informalities:

  a.   the dependency of claims 16-20 should be from claim 15 rather than from claim 1;

  b.   the dependency of claim 35 should be from claim 34 rather than from claim 23.

  c.   claims 9, 23 and 37: the term "one" before "workflows associated with one workflow service" should be – on --

  Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. § 112:

  The specification shall conclude with one or more claims particularly

pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7.   Claims 6, 8, 13, 20, 22, 27, 29, 34, 36 and 41 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6, 20 and 34 recite the limitation "the nodes" at line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 8, 22 and 36 recite the limitation "the variables" at line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 13, 27 and 41 recite the limitation "the container object" at line 4. There is insufficient antecedent basis for this limitation in the claim.

8.   **Claim 29**: a single claim which claims both an article of manufacture and the method steps for executing a workflow is indefinite under 35 U.S.C. 112, second paragraph. In *Ex parte Lyell*, 17 USPQ 2d 1548 (Bd. Pat. App. & Inter. 1990), a claim directed to an automatic transmission workstand and the method steps of using it was held to be ambiguous and properly rejected under 35 U.S.C. 112, second paragraph.

In claim 29, it is unclear whether an article of manufacture or a program code or a process of executing a workflow is claimed. With an article of manufacture recited in the preamble, one would expect to find in the body of the claim means or devices having functions to generate a workflow. However, one only found method steps for executing a workflow.

Correction is required.

Claim Rejections – 35 USC § 101

9.   35 U.S.C. § 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10.   Claim 29 is rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

A single claim which claims both an apparatus and the method steps of using the apparatus should also be rejected under 35 U.S.C. 101, *Ex parte Lyell*, 17 USPQ 2d 1548 (Bd. Pat. App. & Inter. 1990), based on the theory that the claim is directed to neither a "process" nor a "machine," but rather embraces or overlaps two different statutory classes of invention set forth in 35 U.S.C. 101 which is drafted so as to set forth the statutory classes of invention in the alternative only. *Id.* at 1551.

Correction is required.

Claim Rejections – 35 U.S.C. § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12.   Claims 1-42 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,930,512 to Boden et al. ("Boden").

Claims 1, 15 and 29

Boden discloses at least:

providing a workflow class implementing methods and objects to provide information on and control of workflows (see at least Figure 8, items 110, 144; and related discussion in the specification);

providing a work list class implementing methods and objects to provide information on and manipulate work items assigned to the workflow (see at least Figure 5, item 412; Figure 8, item 149; and related discussion in the specification); *and*

providing a work item class implementing methods and objects to provide information on and manipulate work items when executing one workflow (see at least Figure 8, items 148, 116, 188, 152; and related discussion in the specification).

Claims 2, 16 and 30

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden further discloses

calling methods in the workflow class to begin and terminate an instance of one workflow comprising nodes (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57);

calling methods in the work list class to obtain information on the work items and nodes in one workflow (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); *and*

calling the methods in the work item class to enable a user to perform actions associated with one work item in one workflow, wherein at least one work item is associated with each node in the workflow (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 3, 17 and 31

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden further discloses:

calling one method in the work list class to determine nodes and associated work items in the workflow to process (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57);

calling one method in the work item class to lock the work item when providing a user access to workflow actions and documents associated with the work item (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); *and*

calling one method in the work item class to unlock the work item after the user has completed all actions associated with the work item (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 4, 18 and 32

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden further discloses:

providing a workflow notification class including methods and objects to provide information on notifications associated with the workflows, wherein one notification is generated if an action associated with one work item is not performed in a specified time period (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); *and*

calling methods in the workflow notification class to obtain information on one notification and control a state of the notification (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 5, 19 and 33

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden further discloses:

providing a workflow service class including methods and objects to provide information on workflows associated with one workflow service (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); *and*

calling one method in the workflow service class to obtain a list of all workflows associated with one workflow service (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 6, 20 and 34

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden further discloses:

providing a container class including methods and objects to provide information and control containers provided for workflows, wherein the container comprises an object that is used to transfer information among the nodes by enabling users to read and write data to the container (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); *and*

calling the methods in the container class to read and write data to the container 7 for at least one user of one work item (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 7, 21 and 35

The rejection of claims 1, 15 and 29 and intervening claims 6, 20 and 34 respectively is incorporated. Boden further discloses:

*calling methods in the work item class to make one container associated with one work item
available to one user of one work item* (see at least Figure 8, items 220-248, 149, 250-268;
Figure 12; and related discussion in the specification; 9:54-57); *and*

calling one method in the work item class to enable one user of one work item at a *next
node in the workflow access to the container* (see at least Figure 8, items 220-248, 149, 250-
268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 8, 22 and 36

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden
further discloses:

*instantiating a workflow object maintaining information on one workflow;
wherein the methods of the workflow class obtain information and control the workflow
through the variables in the workflow object representing the workflow* (see at least Figure 8,
items 220-248, 149, 250-268; Figure 12; and related discussion in the specification;
9:54-57);

*instantiating a work list object maintaining information on work items and nodes
in one workflow; wherein the methods of the work list class obtain information on work
items and nodes in one workflow* (see at least Figure 8, items 220-248, 149, 250-268;
Figure 12; and related discussion in the specification; 9:54-57); *and*

*instantiating one work item object for each work item in one workflow; wherein
the methods of the work item class obtain information on work items from the work item
objects, wherein one work list object identifies one or more work items represented by
work item objects and wherein one workflow object is associated with one or more work
items* (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related
discussion in the specification; 9:54-57).

Claims 9, 23 and 37

The rejection of claims 1, 15 and 29 and intervening claims 8, 22 and 36 respectively is incorporated. Boden further discloses:

providing a workflow service class including methods and objects to provide information one workflows associated with one workflow service (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); and

instantiating a workflow service object maintaining information on workflows and work lists for the workflows associated with one workflow service, wherein the methods of the workflow service obtain information on workflows and work lists from the workflow service object (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 10, 24 and 38

The rejection of claims 1, 15 and 29 and intervening claims 8-9, 22-23 and 36-37 respectively is incorporated. Boden further discloses *wherein the workflow service object includes information on associated workflow templates, wherein each instance of an executing workflow is instantiated from one workflow template, further comprising:*

providing a workflow template class including methods and objects to provide information on one workflow template associated with one workflow service (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); and

instantiating a workflow template object maintaining information on one workflow template, wherein one or more workflow objects are associated with one workflow template object (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 11, 25 and 39

The rejection of claims 1, 15 and 29 and intervening claims 8-10, 22-24 and 36-38 respectively is incorporated. Boden further discloses *wherein the workflow service object includes information on one or more associated workflow templates, and wherein one method of the workflow service class is called to obtain information on the one or more workflow templates associated with the workflow service* (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 12, 26 and 40

The rejection of claims 1, 15 and 29 and intervening claims 8, 22 and 36 respectively is incorporated. Boden further discloses:

providing a workflow notification class including methods and objects to provide information on notifications associated with one workflow that generate a notification if an action associated with one work item is not performed in a specified time period (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57); *and*

instantiating one workflow notification object maintaining information on one workflow notification, wherein one or more workflow notifications are associated with one workflow and wherein one work list includes one or more workflow notifications (see at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the specification; 9:54-57).

Claims 13, 27 and 41

The rejection of claims 1, 15 and 29 and intervening claims 8, 22 and 36 respectively is incorporated. Boden further discloses:

providing a container class including methods and objects to provide information on and control of containers used in workflows to transport data among the nodes, wherein the container object comprises an object that is used to transfer information among the nodes by enabling users to

read and write data to the container (see at least Figure 8, items 220-248, 149, 250-268;
Figure 12; and related discussion in the specification; 9:54-57); *and*

*instantiating one container object maintaining information on one container used in a
workflow, wherein one container object is associated with one workflow object and one work item* (see
at least Figure 8, items 220-248, 149, 250-268; Figure 12; and related discussion in the
specification; 9:54-57).

Claims 14, 28 and 42

The rejection of base claim 1, 15 and 29 respectively is incorporated. Boden
further discloses *wherein the classes comprise object oriented classes* (see at least Figure 7, items
148, 152; and related discussion in the specification).

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

14.   Any inquiry concerning this communication or earlier communications from
the examiner should be directed to examiner Antony Nguyen-Ba, whose telephone
number is (703) 305-0103. The examiner can normally be reached on Tuesday - Friday
from 6:15 – 3:45 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Tuan Dam, can be reached at (703) 305-4552.

Any inquiry of a general nature or relating to the status of this application
should be directed to the Group receptionist whose telephone number is (703) 305-
3900.

Central Fax Number   (703) 872-9306

ANTONY NGUYEN-BA
PRIMARY EXAMINER

Art Unit 2122

May 25, 2004